

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

U.S. BANK, N.A., NOT INDIVIDUALLY
BUT SOLELY AS TRUSTEE FOR THE
HOLDERS OF THE BEAR STEARNS
ASSET BACKED SECURITIES I TRUST
2006-AC1, ASSET BACKED CERTIFICATES
SERIES 2006-AC1.

Case No. 2:15-CV-1527 JCM (NJHK)
ORDER

Plaintiff(s),

V.

SFR INVESTMENTS POOL I, LLC,

Defendant(s).

Presently before the court is a notice of demand for security of costs filed by defendant SFR Investments Pool 1, LLC (“defendant”). (Doc. # 8). Plaintiff U.S. Bank, N.A., (“plaintiff”) filed a response. (Doc. # 9). Defendants did not file a reply, and the deadline to reply has now passed.

Defendant asks that plaintiff be required to file security of costs in the amount of \$500.00 pursuant to NRS 18.130(1) because plaintiff is a non-resident of Nevada. (Doc. # 8).

In response, plaintiff alleges that it attempted to deposit the \$500.00 security but the clerk would not accept it without a court order. Plaintiff further claims that the parties were preparing a stipulation and order to file with this court.

The Ninth Circuit recognizes that “federal district courts have inherent power to require plaintiffs to post security for costs.” *Simulnet E. Assocs. v. Ramada Hotel Operating Co.*, 37 F.3d 573, 574 (9th Cir. 1994). A federal district court typically follows the forum state’s practice regarding security of costs, particularly when a party is a non-resident. See, e.g., 10 Charles Alan

1 Wright & Arthur R. Miller, Federal Practice and Procedure § 2671 (3d ed. 1998). Nevada Revised
2 Statute 18.130 provides that the court may require an out-of-state plaintiff to post a security for
3 costs in an amount up to \$500.00 upon request by a defendant. Nev. Rev. Stat. 18.130.

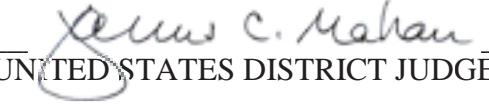
4 This court has yet to receive a stipulation from the parties, but nonetheless finds it
5 appropriate to order security of costs in this matter.

6 Accordingly,

7 IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that defendant's motion
8 demanding security of costs, (doc. # 8), be, and the same hereby is, GRANTED.

9 IT IS FURTHER ORDERED that plaintiff shall post security bonds in the amount of
10 \$500.00 within seven days of the entry of this order.

11 DATED December 7, 2015.

12 
13 UNITED STATES DISTRICT JUDGE

14
15
16
17
18
19
20
21
22
23
24
25
26
27
28